

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2022-88-T

Application of MyRide SC, LLC for Class C
(Non-Emergency) Certificate of Public
Convenience and Necessity for Operation of
Motor Vehicle Carrier

**MYRIDE’S MOTION FOR EXPEDITED
CONSIDERATION**

MyRide SC, LLC (“MyRide”) respectfully requests expedited consideration of its application for a Class C (Non-Emergency) Certificate of Public Convenience and Necessity (“CPC&N”).

MyRide applied for a CPC&N on March 1, 2022. As MyRide’s President, David Swanner, explains in his affidavit attached as Exhibit A, MyRide purchased the assets and has the same employees as the recently dissolved S&W Transport. See Dkt. No. 2016-356-T.¹ Expedited consideration of MyRide’s application is in the public interest and will end the significant financial hardship MyRide has experienced while its application has been delayed.

Expedite consideration is justified because MyRide will provide vital transportation services to Medicaid patients in Berkeley, Charleston, Darlington, Dillon, Florence, Georgetown, Horry, Marion, and Sumter counties. Medicaid is generally available to our state’s poorest citizens.² Six of the counties MyRide intends to serve—Darlington, Dillon, Florence, Georgetown, Marion, and Sumter--have poverty levels exceeding South Carolina’s 14.7% state

¹ On April 13, 2022, ORS filed a report in Docket No. 2016-356-T detailing the events leading to S&W Transport’s dissolution. The Commission cancelled S&W Transport’s CPC&N on April 28, 2022. Order No. 2022-298.

² S.C. Dept. of Health and Human Services, Medicaid, <https://www.scdhhs.gov/site-page/medicaid>

average.³ Furthermore, on April 25, 2022, Scott Bagwell, the Customer Advocate/Transportation Manager for Modivcare, the sole transportation broker for non-emergency medical transportation for South Carolina's Medicaid program, informed the Commission that the delay of MyRide's application was harming the state's citizens.

Expedited consideration is also appropriate because of the substantial financial toll this application's delay has taken on the company. See Swanner Affidavit, Exhibit A. MyRide has been forced to reduce the pay of its fourteen drivers in half while it cannot operate. Every week the application remains pending costs MyRide \$15,000. *Id.* It is critical to the company's future and the livelihood of its employees that the application is approved as soon as possible.

CONCLUSION

For the reasons stated herein, the Commission should expedite approval of MyRide's application.

Respectfully submitted,

s/ Charlie Terreni

Date: May 3, 2022

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³ U.S. Census Bureau, Quick Facts, <https://www.census.gov/content/census/en/search-results.html?stateGeo=none&q=south%20carolina%20poverty&searchtype=web> and S.C. Dept. of Revenue and Fiscal Affairs, Poverty Levels by County, <https://www.rfa.sc.gov/data-research/population-demographics/census-state-data-center/socioeconomic-data/Population-with-percent-in-poverty-by-county-2011-2020>

EXHIBIT A

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**AFFIDAVIT OF
DAVID SWANNER
MYRIDE SC, LLC,
PRESIDENT/OWNER**

My name is David Swanner, I am President and one of the principals of MyRide SC, LLC ("MyRide"). The delay caused by groundless objections of competing NEMT businesses is causing a financial hardship for MyRide and it's employees.

MyRide Application and S&W Transport

My sister Tammy Ferguson and I have been managing our father Harold Swanner's 50% share of S&W Transport (S&W) since we filed a lawsuit against Ronnie and Angie Walker the other 50% owners in April, 2019. The Walkers resigned when the lawsuit was filed and Tammy and I have run S&W since then.

In November, 2021, both parties agreed to a judicial dissolution of S&W based on the shareholders being deadlocked and unable to work together. Our plan was to purchase the assets of S&W with a portion of the debt owed to us and start a new company (MyRide SC, LLC) while winding down S&W and to do so in a way that there would not be an interruption in service.

I filed a motion with the Commission for the S&W Certificate to be changed to MyRide SC, LLC. The day after we received the new certificate, Angie Walker filed a protest stating that she was a 50% owner of S&W, which was dissolved by the Circuit Court and that it wasn't proper to grant a name change. On 2/24/22, the Commission rescinded the Order for Name Change and referred the matter to ORS for an investigation.

MyRide SC, LLC Application is UNRELATED to S&W Transport

On 3/1/22, I filed a **new** application for MyRide SC, LLC (Docket No.: 2022-88-T) that was **unrelated** to S&W Transport (Docket No.: 2016-356-T). I later followed up by cancelling my request for the S&W Transport name change and turning in the Class C Certificate for S&W Transport as part of the S&W dissolution.

MyRide Does Not have a Class C Certificate and Can Not Operate

When the Commission rescinded the Name Change for S&W Transport, the assets (vehicles) of S&W had already been liquidated and sold to MyRide. All the vehicles had been titled and registered to MyRide. The reinstated S&W Transport Certificate could not be used to conduct business for MyRide and we ceased operations as of 3/14/22.

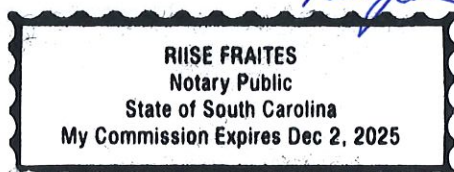
We have 14 vehicles and drivers with operating expenses of approximately \$75,000 a month. When we start back up again, we'll have to operate for three weeks before receiving the first payment from ModivCare.

We have been paying driver's half pay since being closed down, have been maintaining fleet insurance and have the rest of our overhead expenses. **A week's delay in receiving our Class C (Non-Emergency) Certificate costs us @\$15,000.**

We have 14 drivers and two dispatchers that are out of work because our competitors have filed objections and our certificate is caught in procedural hurdles. We receive calls daily from people that have not been picked up for their doctor's appointment. We have driver's that are out of work and having problems supporting their families. The delay in receiving a certificate has been very costly to many people.

FURTHER AFFIANT SAYETH NAUGHT.

Date: April 28, 2022




David Swanner, President
MyRide SC, LLC